

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ELECTRONIC DATA SYSTEMS CORP.

v.

ONLINE WIRELESS, INC.

CIVIL NO. 2:08-CV-41(TJW-CE)

STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

The plaintiff, ELECTRONIC DATA SYSTEMS CORP. (“EDS”), and defendant TRACFONE WIRELESS, INC. (“TracFone”), pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims and counterclaims between EDS and TracFone in this action **WITH PREJUDICE**, subject to the terms of that certain agreement entitled “PATENT LICENSE AND SETTLEMENT AGREEMENT,” with each party to bear its own costs, expenses and attorneys’ fees. This Stipulated Motion For Dismissal does not affect any claims related to any other defendant in this case.

Respectfully submitted,

Date: March 27, 2009

By: /s/Danny L. Williams
Danny L. Williams
State Bar No. 21518050
Ruben S. Bains
State Bar No. 24001678
Michael A. Benefield
Indiana State Bar No. 24560-49
Williams, Morgan & Amerson, P.C.
10333 Richmond, Suite 1100
Houston, Texas 77042
Telephone: (713)934-7000
Facsimile: (713) 934-7011
E-mail: danny@wmalaw.com
E-mail: rbains@wmalaw.com
E-mail: mbenefield@wmalaw.com

**ATTORNEYS FOR PLAINTIFF
ELECTRONIC DATA SYSTEMS CORP.**

Date: March 27, 2009

/s/Sharon A. Israel

Sharon A. Israel - LEAD ATTORNEY
State Bar. No. 00789394
sisrael@mayerbrown.com
Steven R. Selsberg
State Bar No. 18021550
srselsberg@mayerbrown.com
Mayer Brown LLP
700 Louisiana Street, Suite 3400
Houston, Texas 77002
(713) 238-2630
(713) 238-4630 (Facsimile)

Michael Edwin Jones
Patrick Colbert Clutter, IV
Potter Minton PC
110 N College
Suite 500
PO Box 359
Tyler, TX 75710-0359
903/597/8311
Fax: 9035930846
Email: mikejones@potterminton.com
Email: patrickclutter@potterminton.com

**ATTORNEYS FOR DEFENDANT
TRACFONE WIRELESS, INC.**

CERTIFICATE OF SERVICE

I certify that counsel of record who are deemed to have consented to electronic service are being served on March 27, 2009, with a copy of this document via the Court's CM/ECF systems per Local Rule CV-5(a)(3). Any other counsel will be served electronic mail, facsimile, overnight delivery and/or First Class Mail on this date.

\s\ Mark Dunglinson
Mark Dunglinson